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July 23, 2019

VIA ECF

Honorable Stuart M. Bernstein
United States Bankruptcy Court
Southern District of New York
One Bowling Green, Room 723
New York, New York 10004-1408

Re: Picard v. Citibank, 10-05345 (SMB) (Bankr. S.D.N.Y.)

Dear Judge Bernstein:

We are counsel to Irving H. Picard as Trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC and the chapter 7 estate of Bernard L. Madoff, plaintiff in the above-referenced adversary proceeding.

During oral argument on July 18, 2019, the Court directed the Trustee to file certain documents that were previously provided to the Court on July 10, 2019 and were relied upon in the proposed amended complaint:

- March 10, 2005 memorandum from Global Hybrid Trading Desk, *i.e.* “March 10, 2005 Memo” (PAC ¶ 111). **(Attachment A)**
- March 30, 2005 memorandum from Global Hybrid Trading Desk, *i.e.* “March 30, 2005 Memo” (PAC ¶ 128). **(Attachment B)**
- Analysis prepared by Leon Gross (PAC ¶¶ 155, 159-164). **(Attachment C)**
- KPMG Independent Accountants’ Report provided to Citibank (PAC ¶ 206). **(Attachment D)**
- Document containing SEC finding that Tremont’s due diligence materials “did not reveal any evidence of conversations with Madoff’s auditors” (PAC ¶ 290). **(Attachment E)**

Those documents are annexed hereto, with the exception of the attachment to the March 10, 2005 memorandum, which was over 600 pages. Due to its size, the attachment was provided

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to the Court and opposing counsel on disc on July 10, is not being filed on the docket, and is available upon request.

Additionally, because Defendants' counsel have not de-designated the entire transcript of Mr. Gross, Mr. Gross's transcript was filed with redactions.

Please do not hesitate to have a member of your Honor's staff contact me should the Court require anything further.

Respectfully submitted,

/s/ Seanna R. Brown
Partner

Enclosures

cc: Carmine D. Boccuzzi, Jr.
Pascale Bibi